

## REMARKS

Claims 1 to 20 are pending in the Application. Of those, Claims 1, 15, 16, 18, and 19 were rejected under 35 U.S.C. § 101 due to non-statutory subject matter. Claims 1-11 and 15-20 have been rejected under 35 U.S.C. § 112 second paragraph as being indefinite. Claims 12-14 have been rejected under 35 U.S.C. § 102(b) as being anticipated. By way of this Amendment, Claims 1, 3, 4, 6, and 15-20 have been amended; Claims 2 and 12-14 have been cancelled; and new Claims 21-27 have been added. We will address each of the Examiner's rejections in the order presented in the Office Action.

### CLAIM REJECTIONS - 35 U.S.C. § 101

The Examiner has rejected Claims 1, 15, 16, 18, and 19 under 35 U.S.C. § 101 as being directed toward non-statutory subject matter. The Examiner states that these claims recite only an abstract idea which can be done with no technology. In response, Applicant has amended all of these claims to more clearly recite the technology employed. Thus, in Claim 1, for example, "a mechanism for assessing the weight of the user . . ." is employed. Thus, in all of these claims, the Applicant has more clearly set forth the invention as being more concrete in applying technology.

With regard to the method claims rejected (Claims 15, 16, 18, and 19), the Applicant has clarified the language such that the steps of the method are more clear and concrete. These amendments not only assist in overcoming the 101 rejection, but also to overcome the Section 112 rejection, discussed below.

### CLAIM REJECTIONS - 35 U.S.C. § 112

The Examiner has rejected Claims 1-11 and 15-20 as being indefinite. The Examiner finds it difficult to determine the scope of the claims overall with language such as "accessing the unannounced weight of the user." In response, Applicant has clarified the claims to remove such confusing constructions. Applicant believes that the steps are now set forth in a clear

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manner that defines patentable subject matter and is not indefinite under Section 112. As discussed above with regard to Claim 1, Applicant has specifically set forth a mechanism for assessing the weight of the user, the "means for accessing" being deleted.

#### CLAIM REJECTIONS 35 U.S.C. § 102

Claims 12-14 have been rejected as being anticipated by a ski rental shop at any ski resort. Applicant has canceled Claims 12-14.

#### NEWLY PRESENTED CLAIMS

Applicant has added new Claims 21-27 in an attempt to further clarify the invention and set forth the invention in straight forward terms that avoid the rejections discussed above. Applicant believes the Examiner will find the new claims more clearly presented and straightforward.

#### **CONCLUSION**

In consideration of the Amendments and Remarks set forth above, Applicant respectfully requests reconsideration and allowance of all claims.

Respectfully submitted,

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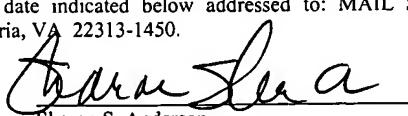
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#### **MAIL CERTIFICATE**

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